

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ROSA SMITH, by and through  
her guardian, DOREEN SMITH,

Plaintiff,

No. 17-13571

v.

District Judge Arthur J. Tarnow  
Magistrate Judge R. Steven Whalen

WASHTENAW INTERMEDIATE  
SCHOOL DISTRICT, ET AL.,

Defendants.

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**ORDER**

Before the Court is Defendants' Motion to Compel Against the Michigan Department of Human Services [Doc. #56]. Specifically, Defendants seek compliance with a subpoena, dated October 24, 2018, directing the Michigan Department of Health and Human Services ("MDHHS") to produce records related to respite care provided for Rosa Smith, Doreen Smith, or Chris Smith. Appended to the motion as Exhibit 2 is an email from Melissa Barrett, of the MDHHS Bureau of Legal Affairs, stating, "Even though the mother signed an authorization, we cannot release these records to you because you do not represent somebody who can receive them under the Child Protection Law, MCL 722.627. In order for us to release these records to you, we would need a court order signed by a judge."

The subpoenaed records are clearly relevant to the claims and/or defenses in this case. Therefore,

IT IS ORDERED that Defendants' Motion to Compel [Doc. #56] is GRANTED.

IT IS FURTHER ORDERED that the Michigan Department of Health and Human Services will produce to Defendants' counsel the records requested in the October 24, 2018 subpoena no later than 14 days from the date of this Order.

s/ R. Steven Whalen  
R. STEVEN WHALEN  
UNITED STATES MAGISTRATE JUDGE

Dated: February 26, 2019

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on February 26, 2019, electronically and/or by U.S. mail.

s/Carolyn M. Ciesla  
Case Manager to the  
Honorable R. Steven Whalen